

TFW

PATENT  
Customer No. 22,852  
Wyeth Reference: AM101260-01  
CAT Reference: 043-Wyeth-PD-1  
Attorney Docket No. 08702.0098-01000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Collins et al.	)	
	)	
Application No.: 10/540,084	)	
	)	Group Art Unit: 1615
Filed under §371: April 7, 2006	)	
	)	
International Filing Date: December 22, 2003	)	Examiner: not yet assigned
	)	
For: ANTIBODIES AGAINST PD-1 AND	)	
USES THEREFOR	)	Confirmation No.: 7531

Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

Sir:

**TRANSMITTAL LETTER**

Enclosed are the following:

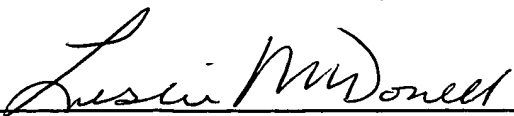
1. Request for Corrected Filing Receipt (2 pages);
2. Application Data sheet (5 pages);
3. Cover sheet of published PCT application (1 page);
4. Copy of Filing Receipt with corrections marked in red (3 pages);  
and
5. Copy of executed Declaration (3 pages).

If there are any fees due in connection with the filing of these documents, please  
charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: August 2, 2006

By:   
Leslie A. McDonell  
Reg. No. 34,872

CAM/MKF/65L



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/540,084	04/07/2006	1615	1930	08702.0098-01000	9	34	4

22852

FINNEGAN, HENDERSON, FARABOW, GARRETT &amp; DUNNER

LLP

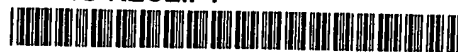
901 NEW YORK AVENUE, NW  
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RECEIVED

JUN 22 2006

CONFIRMATION NO. 7531

## FILING RECEIPT



\*OC000000019251087\*

Finnegan, Henderson, Farabow,  
Garrett & Dunner, L.L.P.

Date Mailed: 06/16/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Mary Collins, Natick, MA;  
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Frances K. Bennett, Sudbury, MA;

~~Via Valge Archer, Cambridgeshire, UNITED KINGDOM;~~

Caroline Russell, Royston Herts, UNITED KINGDOM;

John Andrews, Little Hadham, Ware, UNITED KINGDOM

Via Valge-Archer, Little Abington

Power of Attorney: The patent practitioners associated with Customer Number 22852.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/IB03/06304 12/22/2003  
which claims benefit of 60/435,354 12/23/2002

## Foreign Applications

If Required, Foreign Filing License Granted: 06/13/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/540,084**

Projected Publication Date: 09/21/2006

Non-Publication Request: No

06/21

**Early Publication Request:** No

**Title**

Antibodies against pd-1 and uses therefor

**Preliminary Class**

514

## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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### **LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15**

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The

date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

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Customer No. 22,852  
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For: ANTIBODIES AGAINST PD-1 AND USES THEREFOR	)	Confirmation No.: 7531

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REQUEST FOR CORRECTED FILING RECEIPT**

We enclose herewith a copy of the Filing Receipt for the above-identified patent application.

The Filing Receipt does not include the name of JOHN ANDREWS as an inventor and incorrectly identifies the inventor VIIA VALGE-ARCHER as Viaa-Valge Archer. Please correct the inventorship on the Filing Receipt as shown on the enclosed marked copy and issue a corrected Filing Receipt. In support of these amendments, we enclose a copy of the Declaration signed by these inventors and, pursuant to MPEP § 605.04(b), an Application Data Sheet to correct the spelling of VIIA VALGE-ARCHER's name. As this application is also a National Phase entry of PCT Application No.

PCT/IB2003/006304, a copy of the cover sheet of the published PCT application, which correctly identifies VITA VALGE-ARCHER and JOHN ANDREWS as inventors, is also enclosed.

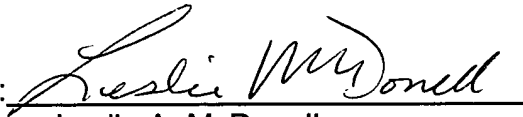
The marked Filing Receipt and Application Data Sheet also correct the addresses of the inventors JOHN ANDREWS, VITA VALGE-ARCHER, and CAROLINE RUSSELL.

It is respectfully requested that a corrected Filing Receipt be issued as soon as possible.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: August 2, 2006

By:   
Leslie A. McDonell  
Reg. No. 34,872

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: ANTIBODIES AGAINST PD-1 AND USES THEREFOR the specification of which was filed on June 17, 2005 as United States Application No. 10/540,084 and Confirmation No. 7531.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT international application(s) designating at least one country other than the United States, listed below and have also identified below, any foreign application(s) for patent or inventor's certificate, or any PCT International application(s) having a filing date before that of the application(s) of which priority is claimed:

Country	Application Number	Date of Filing	Priority Claimed Under 35 U.S.C. 119
PCT	PCT/IB2003/006304	December 22, 2003	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number	Date of Filing
60/435,354	December 23, 2002

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or § 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application(s) and the national or PCT International filing date of this application:

Application Number	Date of Filing	Status (Patented, Pending, Abandoned)

I hereby appoint the following attorney and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. **FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., CUSTOMER NUMBER 22,852.**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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Post Office Address Same as above		